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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,806	09/28/2001	Gary B. Cohen	07844-511001 / P460	3111
21876	7590	06/17/2005	EXAMINER	
FISH & RICHARDSON P.C. P.O. Box 1022 MINNEAPOLIS, MN 55440-1022			INGBERG, TODD D	
			ART UNIT	PAPER NUMBER
			2193	

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/966,806	COHEN ET AL.
	Examiner	Art Unit
	Todd Ingberg	2193

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 10 December 2004.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-40 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-40 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 18 January 2002 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1 – 40 have been examined.

Claims 1, 13, 14, 20, 26, 30, 39 and 40 have been amended.

Examiner Interpretation

In reviewing the meaning of the limitations regarding *state* as defined in the Specification on pages 7 – 9 provides insight to the meaning of state in terms of the invention. The term state means the checking of the context to determine if the display of help is appropriate meets the enablement for checking the appropriate state information. The newly found art as applied in this Office action also displays help in appropriate locations as defined by the user. The newly found art is a help tool for displaying context sensitive help.

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 30 – 39 are rejected under 35 USC § 101 for not being statutory.

Claim 30

Machine-readable instructions, embodied in a tangible medium or a propagated signal or both, for causing the machine to perform operations comprising: enable an author to generate one or more help files for a help facility of a computer software application, the one or more help files specifying content to be displayed and at least one interactive link the content associated with at least one user-activated step to be in connection with the help topic, wherein the interactive link , when activated, performs an operation in the computer software application to effect the at least one step associated with the specified content; and enable the help facility, while executing, to access the generated one or more help files upon detecting that the one or more help files exist in a predetermined location within a local file structure accessible to the help facility.

Examiner's Response

A propagated signal is not a tangible embodiment.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 – 5 and 7 – 40 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Developing Applications with **Office**, published 1995 in view of **ForeHelp** version 1.0 by ForeFront, Incorporated released 1994.

NOTE: The two references are cumulative in many areas. The two references must be taken as a whole.

Claim 1

A method of providing a help facility for a computer software application stored on a computer readable medium and executable on a computer, the method comprising: enabling an author to generate one or more help files that specify content to be displayed and at least one interactive link , the content associated with at least one user-activated step to take in connection with a help topic, wherein the interactive link when activated, performs an operation in the computer software application to effect the at least one step associated with the specified content; and enabling the help facility, while executing, to access the generated one or more help files upon detecting that the one or more help files exist in a predetermined location within a local file structure accessible to the help facility.

Examiner's Response

Office teaches the ability to add context sensitive help to existing applications (**Office**, pages 455 to 483) and to Custom Business Applications (**Office**, page 482 - 483) using tools and an API (**Office**, pages 458 – 459, and 475 - 482). Some of the features **Office** teaches the following:

- Context Sensitive documentation – page 455
- Creating online publications – page 455
- Multiple Help files – page 456, 457 types of documents
- Structured hyper text files page 456
- Use of Templates – page 456
- Creating hotspots – page 456
- Help Project for localization of help system – page 456
- Distributing Help files over a network – page 457
- Tools for Creating Help-Bases Publications and Presentations – page 458
- Structuring Hypertext – page 459
- Controlling the path with jumps and hotspots – page 460, Figure 13-1
- Hypertext Macros – page 461
- Naming context string – page 461
- Support files for building help systems – page 462
- Smart Quotes – page 463
- Graphical User Interface for building help – pages 464 - 467, figure 13-2
- Inserting Jump and Popup Hotspots, page 468, figure 13-5
- Table of Contents – page 472

Hotspot graphics – pages 472 – 473
Authoring Template through GUI – page 474
Help Project files – pages 475 – 476
Secondary Windows – pages 476 – 478
Compiling Custom HPJ Files – pages 478 – 481
Creating Context Sensitive Help – pages 481 – 482
Adding Context Sensitive Help to Custom Business Applications – page 482 - 483

What the chapter does not teach is many of the explicit details of building context sensitive help systems. It is **ForeHelp** that teaches details of a context sensitive help system. ForeHelp teaches details such as:

- I. How to use ForeHelp to build context sensitive Help system (Section 1)
Including topics such as hotspots, jumps, history, content, browse sequences, keywords, testing , viewing project structure and relationships.
- II. Importing Existing Help Projects and files (Sections 4 & 5)
- III. Topic Text , Paragraphs, Styles, Tables and Pictures – Sections (8 – 12)
- IV. Creating Topics and Moving Between Topics (sections 16 – 17)
- V. Inserting Topics, Jumps and Pop-ups (sections 18 – 19)
- VI Creating and using Keywords – Section 20
- VII. Macros (Section 21)
- VIII Adding Embedded Windows (Section 22)
- IX Creating Browse Sequences (Section 23)
- X Working with Windows Classes (Section 24)
- XI Testing Help Systems (Section 25)
- XII Finding your way around using Navigator (Section 27)
- XIII Displaying Connections using Grapher (Section 28)
- XIV Detail on Creating Content Sensitive Help (Section 31)
- XV WinHelp Macros (Appendix E)

Office teaches building context sensitive help systems for existing Applications and Business Application but does not explicitly teach the details of the underlying technology. It is **ForeHelp** who teaches the details of the underlying technology of building context sensitive help systems. Therefore, It would have been obvious to one of ordinary skill in the art at the time of invention to combine **Office** and **ForeHelp**, because context sensitive help systems make using software easier.

Claim 2

The method of claim 1 further comprising, prior to enabling the help facility to access the generated help file, placing the help file in the predetermined location.

Examiner's Response

As per claim 1 (Office , page 477, bullet 3 and ForeHelp, predetermined location and size, page 140).

Claim 3

The method of claim 2 wherein the help file is placed in the predetermined location by the author of the help file.

Examiner's Response

As per claim 1 (Office , page 477, bullet 3 and ForeHelp, predetermined location and size, page 140).

Claim 4

The method of claim 2 wherein the help file is placed in the predetermined location automatically by a software process.

Examiner's Response

As per claim 1 (Office , page 477, bullet 3 and ForeHelp, predetermined location and size, page 140 – defined location an size information is used by the help system to determine where and what to display).

Claim 5

The method of claim 1 further comprising retrieving the generated one or more help files from an external source.

Examiner's Response

As per claim 1 (Office, pages 482 – 483, has many different sources including calling help from products like Access, Excel and Word)

Claim 7

The method of claim 1 wherein enabling the help facility to access the one or more help files comprises displaying the one or more help files as a help page in the help facility.

Examiner's Response

As per claim 1 and Office, page 479, Secondary Window with Text.

Claim 8

The method of claim 1 wherein enabling the help facility to access the generated one or more help files comprises causing the help facility to traverse the local file structure: to identify existing help files.

Examiner's Response

As per claim 1 and claim 7. The functionality of claim 7 of providing a Secondary Window of Text and the ability to traverse provide by the Table of Content (Office, page 479).

Claim 9

The method of claim 8 wherein the help facility dynamically generates a listing of available help topics based on help files identified during traversal.

Examiner's Response

As per claim 1. Office page 472, Table of Content graphic to display available topics. The table of contents is used to traverse the help system. This is better illustrated in ForeHelp with the Navigator (ForeHelp, page 24) and Grapher (ForeHelp, pages 33, 153-157) features.

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Claim 10

The method of claim 8 wherein the help facility dynamically generates a table of contents file based on help files identified during traversal.

Examiner's Response

As per claims 1,8 and 9.

Claim 11

The method of claim 1 wherein the help facility is caused to detect the existence of one or more help files in response to a user action.

Examiner's Response

As per claims 1 and 8. The use of links and hot spots.

Claim 12

The method of claim 1 wherein the help facility is caused to detect the existence of one or more help files automatically.

Examiner's Response

As per claims 1 and 8. The result of user action in content sensitive help system.

Claim 13

The method of claim 1 wherein enabling an author to generate one or more help files comprises enabling the: author to record a sequence of one or more user activities performed in the computer software application in response to the activation of the interactive link.

Examiner's Response

As per claims 1 and 8. Office as per the claims listed provides the ability to create a sequence that results from hypertext links to display of files and secondary files is on such sequence.

ForeHelp provides a more detail teaching in Chapters 17, 18 and 19.

Claim 14

The method of claim 1 wherein the interactive link comprises a hyperlink or a hotspot.

Examiner's Response

As per claim 1.

Claim 15

The method of claim 1 wherein the operation in the computer software application associated with the interactive link comprises an atomic step of a complex operation.

Examiner's Response

Claim Interpretation: the ability to display help with interactive links is taught in claim 1. The limitation of "an atomic step of a complex operation" is viewed to be data. What is displayed is data and is not patentable.

Claim 16

The method of claim 1 wherein the operation in the computer software application associated with the interactive link comprises a plurality of steps associated with a complex operation.

Examiner's Response

Claim Interpretation: the ability to display help with interactive links is taught in claim 1. The limitation of “a plurality of steps associated with a complex operation” is viewed to be data. What is displayed is data and is not patentable.

Claim 17

The method of claim 1 wherein the operation in the computer software application associated with the interactive link corresponds to a menu item in a graphical user interface of the computer software application.

Examiner's Response

Claim Interpretation: the ability to display help with interactive links is taught in claim 1. The limitation of “corresponds to a menu item in a graphical user interface of the computer software application” is viewed to be data. What is displayed is data and is not patentable.

Claim 18

The method of claim 1 wherein the operation in the computer software application associated with the interactive link corresponds to an operation available through an application program interface of the computer software application.

Examiner's Response

Claim Interpretation: the ability to display help with interactive links is taught in claim 1. The limitation of “corresponds to an operation available through an application program interface of the computer software application” is viewed to be data. What is displayed is data and is not patentable.

Claim 19

The method of claim 1 wherein enabling the author to generate one or more help files comprises providing a markup language extension that enables an activity in the computer software application to be performed indirectly.

Examiner's Response

ForeHelp's ability to indirectly call Help files in the Application Windows (ForeHelp, WinHelp, page 211 - 214). One of ordinary skill in the art should know Windows Help is hypertext based and on page 211 of ForeHelp the string passed (hypertext) to the WinHelp is defined in quotes in the three example.

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Claim 20

A method of providing a help facility for a computer software application stored on a computer readable medium and executable on a computer, the method comprising: enabling a computer software application to record a sequence of one or more user activated operations performed within the computer software application in connection with a help topic ; and enabling a user to generate one or more help files that specify help content to be presented and at least one interactive link that, when activated, performs the recorded sequence of one or more operations to effect the one or more user-activated operations.

Examiner's Response

As per claim 1.

Claim 21

The method of claim 20 further comprising enabling the generated one or more help files to be displayed as a help page in the help facility.

Examiner's Response

As per claims 1, 2 and 5.

Claim 22

The method of claim 21 further comprising enabling the help facility, while executing, to access the generated one or more help files upon detecting that the one or more files exist in a predetermined location within a local file structure accessible to the help facility.

Examiner's Response

As per claims 1, 2,4 and 8.

Claim 23

The method of claim 21 further comprising, in response to user input, selectively performing the one or more operations based on a state of the computer application.

Examiner's Response

As per claims 1, 19 and 23, where Context Sensitive Help and the ability to call help in other Applications such as Access, Excel and Word (State – if the applications are running).

Claim 24

The method of claim 23 wherein selectively performing the one or more operations comprises refraining from attempting to perform an operation if the computer software application is in an improper state for performing the operation.

Examiner's Response

As per claims 1, 19 and 23, where Context Sensitive Help and the ability to associate other Applications such as Access, Excel and Word in help sequence. The call requires an external call where the sequence as defined by the author is associated with the application (State – if the applications are running).

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Claim 25

The method of claim 24 further comprising informing the user of one or steps to undertake to place the computer software application in a proper state to perform the operation.

Examiner's Response

As per claim 24.

Claim 26

A method of controlling a help facility for a computer software application stored on a computer readable medium and executable on a computer,, the method comprising: enabling a user to generate one or more help files that specify content to be presented and at least one interactive link that, when activated, performs an operation in the computer software application associated with the content; and enabling the help facility to detect a state of the computer software application and to selectively cause the operation to be performed by the computer software application based on the detected state.

Examiner's Response

As per claims 1 and 24.

Claim 27

The method of claim 26 wherein enabling the user to generate help files comprises enabling the computer software application to record a sequence of one or more user operations performed within the computer software application.

Examiner's Response

As per claims 1 and 23.

Claim 28

The method of claim 26 wherein the help facility refrains from causing the operation to be performed if the computer software application is in improper state for performing the operation.

Examiner's Response

As per claims 1 and 24.

Claim 29

The method of claim 28 further comprising informing the user of one or steps to undertake to place the computer software application in a proper state to perform the operation..

Examiner's Response

As per claims 1 and 24.

Claim 30

Machine-readable instructions, embodied in a tangible medium or a propagated signal or both, for causing the machine to perform operations comprising: enable an author to generate one or more help files for a help facility of a computer software application, the one or more help files specifying content to be displayed and at least one interactive link the content associated with at least one user-activated step to be in connection with the help topic, wherein the interactive link , when activated, performs an operation in the computer software application to effect the at least

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one step associated with the specified content; and enable the help facility, while executing, to access the generated one or more help files upon detecting that the one or more help files exist in a predetermined location within a local file structure accessible to the help facility.

Examiner's Response

As per claim 1.

Claim 31

The instructions of claim 30 further comprising instructions to automatically place the help file in the predetermined location.

Examiner's Response

As per claim 2.

Claim 32

The instructions of claim 30 further comprising instructions to retrieve the generated one or more help files from an external source.

Examiner's Response

As per claim 5.

Claim 33

The instructions of claim 32 further comprising instructions to display the one or more help files as a help page in the help facility.

Examiner's Response

As per claim 7.

Claim 34

The instructions of claim 30 wherein the instructions to enable the help facility to access the generated one or more help files comprise instructions to cause the help facility to traverse the local file structure to identify existing help files.

Examiner's Response

As per claim 8.

Claim 35

The instructions of claim 34 further comprising instructions to dynamically generate a listing of available help topics based on help files identified during traversal.

Examiner's Response

As per claim 9.

Claim 36

The instructions of claim 34 further comprising instructions to dynamically generate a table of contents file based on help files identified during traversal.

Examiner's Response

As per claim 9.

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Claim 37

The instructions of claim 30 further comprising instructions to cause the help facility to detect the existence of one or more help files in response to a user action.

Examiner's Response

As per claim 13.

Claim 38

The instructions of claim 30 further comprising instructions to cause the help facility to detect the existence of one or more help files automatically.

Examiner's Response

As per claim 13.

Claim 39

The instructions of claim 30 wherein the instructions to enable an author to generate one or more help files comprise instructions to enable the author to record a sequence of one or more user activities performed in the computer software application.

Examiner's Response

As per claims 1, 13 and 19.

Claim 40

An extensible help facility for a computer software application stored on a computer readable medium and executable on a computer, the help facility comprising:

a graphical user interface for communicating with a user;
a plurality of help files arranged in a hierarchical file structure; and

one or more software processes configured to perform the following operations:

- (i) enable a user to generate or modify one or more help files that specify content to be displayed and at least one: interactive link that, when activated, performs an operation in the computer software application associated with the specified content;
- (ii) cause the help facility, while executing, to access the generated one or more help files upon detecting that the one or more help files exist in a predetermined location within the hierarchical file structure; and
- (iii) cause the help facility to detect a state of the computer software application and to selectively cause an operation corresponding to an interactive link to be performed by the computer software application based on the detected state.

Examiner's Response

As per claims 1, 2, 5, 11 and 19.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Developing Applications with **Office**, published 1995 and **ForeHelp** version 1.0 by ForeFront , Incorporated released 1994 in view of Content and Orientation in Hypermedia Networks, Kenneth **Utting** published in 1989.

Claim 6

The method of claim 1 wherein the external source comprises a remote resource on a network.

Examiner's Response

ForeHelp teaches the use of context sensitive Windows Help Files utilizing hypertext links (ForeHelp, Grapher shows the hierarchy of hypertext links page 31 and 232) but ForeHelp does not explicitly state the hypertext link access files residing on a remote resource on a network. Utting teaches a networked environment to help users in a networked environment. Therefore, it would have been obvious to combine ForeHelp with Utting, because "The core of hypermedia's power lies in the complex networks of links that can be created within and between documents". (Utting, first sentence)

Response to Arguments

6. Applicant's arguments with respect to claims 1 – 40 have been considered but are moot in view of the new ground(s) of rejection.

7. In terms of formal matters, new Abstract, Title and response to drawings are acceptable.

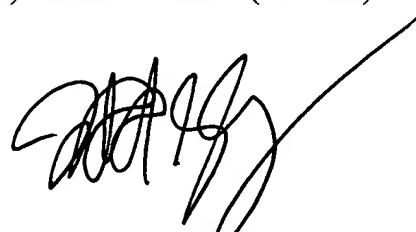
Correspondence Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Todd Ingberg whose telephone number is (571) 272-3723. The examiner can normally be reached on during the work week..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (571) 272-3719. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Todd Ingberg
Primary Examiner
Art Unit 2193

TI